IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 5512 of 1996

Between:

V.H.Ranga Rao, S/o. Late Dr.B.Venkataramana,
R/o. Defence Colony, Sainikpuri,
Secunderabad.

..... PETITIONER

AND

1. Union of India, Rep. Secretary.
   Law, Central Secretariat, New Delhi.
2. State of U.P., (dismissed) Rep.Chief Secretary,
   Secretary Buildings, Lucknow.
3. Consumer Disputes Redressal Forum, (dismissed)
   ETTAWA, U.P.
4. Commissioner of Police,
   Hyderabad, A.P.
5. SHO., Trimulgherry, R.R.Dist.,.
   Secunderabad.
6. Dr.Kuldeep Saxena, (dismissed) S/o. Rash Biharilal Saxena,
   R/o. Sastry Chowrah, Opp: LIC., ETTAWA.

(Dismissed for default as per court order dt.13.12.2003

against Respondents-2, 3 and 6)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction declaring that Section 27 of the C.P. Act, 1986 (Act 68 of 1986) is hit by Art. 14 and 21 of the Constitution and strike down Section 27 of the C.P. Act as unconstitutional, illegal and void and unenforceable and for a

consequential direction to the 3rd respondent to withdraw the warrant issued, dated NIL, U/sec. 27 of the C.P. Act.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondents: GP FOR HOME

The Court made the following:

ORDER:

Challenging the order of the third respondent-Consumer Disputes Redressal Forum, Ettawa, Uttar Pradesh, passed in Consumer Case No.340 of 1993 under Section 27 of the Consumer Protection Act, 1986 (Act 68 of 1986) (for short, 'the Act') for arrest of the writ petitioner, the petitioner filed this writ petition seeking to declare that the order of the 3rd respondent is hit by Articles 14 and 21 of the Constitution of India and strike down Section 27 of the Consumer Protection Act as unconstitutional, illegal, void and unenforceable and also for a consequential direction to the third respondent to withdraw the warrant issued under Section 27 of the Consumer Protection Act.

2. When the matter came up for hearing today, the learned counsel for the petitioner submits that in view of the judgment of this Court in W.P.No.23491 of 1994, the Writ Petition has become infructuous.

3. Recording the said submission, the writ petition is dismissed as having become infructuous.

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N.V.RAMANA,J

Date: 10th November, 2004.

Ksn/Svv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Law, Central Secretariat,

New Delhi.

2. The Chief Secretary, State of Uttar Pradesh
   Secretary Buildings, Lucknow.
3. Consumer Disputes Redressal Forum,

   ETTAWA, U.P.
4. The Commissioner of Police,
   Hyderabad, A.P.
5. The Station House Officer,

Trimulgherry, R.R.Dist.,.
   Secunderabad.
7. Two C. Cs to G.P. for Home, High Court Buildings,

Hyderabad (OUT)

8. Two C.D. copies